

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC,

Plaintiff,

V.

INTUIT, INC.,

Defendant.

No. 2:12-CV-180-JRG-RSP

CONSOLIDATED

JURY TRIAL DEMANDED

TQP DEVELOPMENT, LLC,

Plaintiff,

V.

REED ELSEVIER, INC.,

Defendant.

No. 2:12-CV-726-JRG-RSP

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff TQP Development, LLC and defendant Reed Elsevier, Inc. pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims pending between them in the lead consolidated case and in *TQP Development, LLC v. Reed Elsevier, Inc.*, Case No. 2:12-cv-726, WITH PREJUDICE, subject to the terms of that certain agreement entitled “**AGREEMENT**” and dated July 17, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

SO STIPULATED:

July 26, 2013.

Respectfully submitted,

<u>/s/ Terence P. Ross</u> Jennifer Parker Ainsworth Texas Bar No. 00784720 jainsworth@wilsonlawfirm.com WILSON, ROBERTSON & CORNELIUS, P.C. 909 ESE Loop 323, Suite 400 P.O. Box 7339 [75711] Tyler, Texas 75701 Telephone: (903) 509-5000 Facsimile: (903) 509-5092 Terence P. Ross (pro hac vice) tross@crowell.com Jeffrey D. Ahdoot (pro hac vice) jahdoot@crowell.com CROWELL & MORING, LLP 1001 Pennsylvania Avenue, N.W. Washington, DC 20004-2595 Telephone: (202) 624-2500 Facsimile: (202) 628-5116 Attorney for Defendant REED ELSEVIER, INC.	<u>By: \s\ Paul A. Kroeger</u> Paul A. Kroeger Marc A. Fenster, CA SB No. 181067 Email: mfenster@raklaw.com Kevin P. Burke, CA SB No. 241972 Email: kburke@raklaw.com Adam S. Hoffman, CA SB No. 218740 Email: ahoffman@raklaw.com Alexander C.D. Giza, CA SB No. 212327 Email: agiza@raklaw.com Paul A. Kroeger, CA SB No. 229074 Email: pkroeger@raklaw.com Russ August & Kabat 12424 Wilshire Boulevard, 12th Floor Los Angeles, CA 90025 Telephone: (310) 826-7474 Facsimile: (310) 826-699 Andrew W. Spangler, State Bar No. 24041960 Email: spangler@sfipfirm.com Spangler & Fussell P.C. 208 N. Green St., Suite 300 Longview, TX 75601 Telephone: (903) 753-9300 Facsimile: (903) 553-0403 James A. Fussell, III, State Bar No. 2003193 Email: fussell@sfipfirm.com Spangler & Fussell P.C. 211 N. Union Street, Suite 100 Alexandria, VA 22314 Telephone: (903) 753-9300 Facsimile: (903) 553-0403 Attorneys for Plaintiff TQP DEVELOPMENT, LLC
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CRTIFICATE OF SERVICE

I hereby certify that on the 26th day of July, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Paul A. Kroeger

Paul A. Kroeger

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff and Defendant have conferred regarding the foregoing Motion, and Defendant does not oppose the relief sought.

Dated: July 26, 2013

/s/ Paul A. Kroeger

Paul A. Kroeger